

1 AN ORDINANCE AMENDING ORDINANCE NO. 20090312-027 FOR THE
2 MARTIN LUTHER KING, JR BLVD. TRANSIT ORIENTED DEVELOPMENT
3 DISTRICT STATION AREA PLAN TO MODIFY THE STATION AREA PLAN
4 AND REGULATING PLAN, REZONING AND CHANGING THE ZONING MAP
5 FROM TRANSIT ORIENTED DEVELOPMENT-NEIGHBORHOOD PLAN-
6 CONDITIONAL OVERLAY (TOD-NP-CO) COMBINING DISTRICT TO
7 TRANSIT ORIENTED DEVELOPMENT-NEIGHBORHOOD PLAN-
8 CONDITIONAL OVERLAY (TOD-NP-CO) COMBINING DISTRICT FOR THE
9 PROPERTY LOCATED AT 1709 MIRIAM AVENUE.

10
11 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

12
13 **PART 1.** The Martin Luther King, Jr. Blvd. transit oriented development district station
14 area plan with regulating plan ("the MLK-TOD") was adopted under Ordinance No.
15 20090312-027 ("the MLK-TOD Original Ordinance") and is comprised of approximately
16 108 acres of land described in Zoning Case No. C14-2008-0031, located in portions of the
17 Chestnut, East MLK, Upper Boggy Creek and Rosewood neighborhood planning areas,
18 locally known as the area generally bounded by Boggy Creek on the north and east, the
19 Northwest and Austin Railroad on the east, East 12th Street on the south, and Ulit Avenue,
20 Miriam Avenue, Alexander Avenue and Randolph Road on the west, including select
21 properties at the intersection of Martin Luther King, Jr. Boulevard and Airport Boulevard,
22 and the intersection of Manor Road and Airport Boulevard, in the City of Austin, Travis
23 County, Texas.

24
25 **PART 2.** The MLK-TOD Original Ordinance was amended under Ordinance No.
26 20090402-048 to include and rezone certain properties within the boundaries of the MLK-
27 TOD.

28
29 **PART 3.** Ordinance No. 20090402-048 identified the Original Ordinance number as
30 20080312-027. This ordinance is made to correct this error and to confirm the correct
31 Original Ordinance number as 20090312-027. In all other respects the terms and conditions
32 of the amending ordinance remain in effect.

33
34 **PART 4.** The zoning map established by Section 25-2-191 of the City Code is amended to
35 change the base district from transit oriented district-neighborhood plan-conditional
36 overlay (TOD-NP-CO) combining district to transit oriented district-neighborhood plan-
37 conditional overlay (TOD-NP-CO) combining district on the property described in Zoning

A 1.794 acre tract of land, more or less, out of Lot 1 Block A, Resubdivision of Chestnut station and Chestnut Station Section 2, in Travis County, the 1.794 acre tract of land being more particularly described by metes and bounds in Exhibit “A” incorporated into this ordinance (the “Property”),

PART 5. The MLK-TOD Station Area Plan (“SAP”) and Regulating Plan identified and defined subdistricts within the plan area and established boundaries for each subdistrict. The Property currently is comprised of two subdistricts: TOD Mixed Use and Live/Work Flex as shown on Exhibit “C”. The boundaries of the Live/Work Flex Subdistrict shall be expanded to include the entire Property as shown on Exhibit “D”.

PART 7. Except as set forth in Part 5 and Part 6 of this ordinance, the Property is subject to Ordinance No. 20090312-027, as amended by Ordinance No. 20090402-048, and the terms and conditions of each ordinance remain in effect.

PASSED AND APPROVED.

ss ss ss

APPROVED: _____ **ATTEST:** _____
 Karen M. Kennard Shirley A. Gentry
 City Attorney City Clerk

HOLT CARSON, INC.
PROFESSIONAL LAND SURVEYORS

1904 FORTVIEW ROAD
AUSTIN, TEXAS 78704
TELEPHONE: (512) 442-0990
FACSIMILE: (512) 442-1084

EXHIBIT A

RE-ZONING

FIELD NOTE DESCRIPTION OF 1.794 ACRES OF LAND, BEING A PORTION OF LOT 1, BLOCK A, RESUBDIVISION OF CHESTNUT STATION AND CHESTNUT STATION SECTION 2, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN DOCUMENT No. 200900070 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod found with a plastic cap imprinted with "Carter Burgess" at the point of intersection of the East right-of-way line of Miriam Avenue and the North right-of-way line of 17th Street for a Southwesterly corner of Lot 1, Block A, Resubdivision of Chestnut Station and Chestnut Station Section 2, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Document No. 200900070 of the Official Public Records of Travis County, Texas, and being a Southwesterly corner and **PLACE OF BEGINNING** of the herein described tract of land, and from which a ½" iron rod found with a plastic cap imprinted with "Carter Burgess" in the East right-of-way line of Miriam Avenue for a Northwesterly corner of said Lot 1 bears N 11 deg. 44' 20" W 654.81 ft.;

THENCE with the East right-of-way line of Miriam Avenue and with the West line of said Lot 1, N 11 deg. 44' 20" W 301.41 ft. to a ½" iron rod set with a plastic cap imprinted with "Holt Carson, Inc." for the Northwest corner of this tract;

THENCE leaving the East right-of-way line of Miriam Avenue and entering the interior of said Lot 1 with the North line of this tract, N 78 deg. 18' 31" E 240.16 ft. to a ½" iron rod set with a plastic cap imprinted with "Holt Carson, Inc." for the Northeast corner of this tract;

THENCE continuing across the interior of said Lot 1 with the East line of this tract, S 11 deg. 43' 15" E 326.04 ft. to a ½" iron rod set with a plastic cap imprinted with "Holt Carson, Inc." in the North right-of-way line of 17th Street and in the South line of said Lot 1 for the Southeast corner of this tract, and from which a chiseled "X" mark found in concrete in the North right-of-way line of 17th Street for a Southeasterly corner of said Lot 1 bears N 78 deg. 16' 06" E 119.96 ft.;

end of Page 1

STATE OF TEXAS
REGISTERED
★
HOLT CARSON
5166
PROFESSIONAL
LAND SURVEYOR

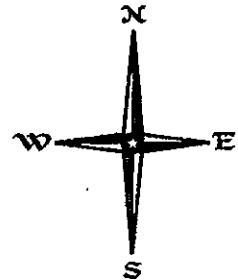
BY :

Holt Carson

Legend

- ⊙ ½"-Iron Rod Found
- ⊗ Chiseled "X" Found
- ◆ ½"-Iron Rod Found with plastic cap imprinted with "Carter Burgess"
- ½"-Iron Rod Set with plastic cap imprinted with "Holt Carson, Inc."

SCALE: 1" = 60'



17TH STREET (60' R.O.W.)

C 866102

- 1/2" Iron Rod Found
 - Chiseled "X" Found
 - ◆ 1/2" Iron Rod Found with plastic cap imprinted with "Carter Burgess"
 - 1/2" Iron Rod Set with plastic cap imprinted with "Hall Carson, Inc."
 - ▲ Electric Utility Vault
 - Storm Water Manhole
 - Sanitary Sewer Manhole
 - Fire Hydrant
 - Telephone Pedestal
 - Water Meter
 - Water Valve
 - Gas Valve
 - Valve (unknown purpose)
 - Lamp Post
 - ⊗ Electric Transformer Pad
 - ↓ Street Sign
 - Chain Link Fence
 - Overhead Utility Line
- (Record Bearing and Distance)

LOT 13
REAL INDUSTRIAL PARK
VOLUME 12 PAGE 9

E. MARTIN LUTHER KING BLVD.
(R.O.W. VARIES)

INT8°16'45"E 544.27'
N78°16'15"E 544.32'
15' P.U.E. per plat

S56°24'31"E
C=42.46' A=47.17'
(S56°33'24"E)
(C=42.55' A=47.30')
[R=30.00']

LOT 2
BLOCK C

LOT 1
BLOCK A
RESUBDIVISION OF
CHESTNUT STATION
AND
CHESTNUT STATION SECTION 2
DOCUMENT NO. 200900070

TREE LISTING

1892	5" Elm
1893	15" Cottonwood
1894	15" & 12" Cottonwood (27" caliper total)
2224	5" & 4" Live Oak (7" caliper total)
1895	9" Elm
1896	17" & 13" Cottonwood (235.5" caliper total)
1897	17", 10" & 7" Cottonwood (25.5" caliper total)
1957	8" & 7" Sycamore (11.5" caliper total)
1958	11" Elm
1954	8" Hackberry
1955	4" & 4" Elm (8" caliper total)
1953	23" Sycamore
1952	10" Elm
1959	12" Elm
1958	17" & 7" Elm (205" caliper total)
1964	15" & 12" Cottonwood (23" caliper total)
1898	16", 14" & 11" Cottonwood (28.5 caliper total)
1966	9" Cottonwood
1967	6" & 4" Cottonwood (8" caliper total)
1981	8" Live Oak
1880	9" & 9" Cottonwood (13.5" caliper total)
1978	7" Cottonwood
1977	6" Cottonwood
1976	6" & 4" Cottonwood (8" caliper total)
1968	10" & 5" Cottonwood (12.5" caliper total)
1969	5" Cottonwood
1970	10" Cottonwood
1972	13" Cottonwood
1055	7" & 5" Cottonwood and 8" Sycamore (14" caliper total)

Note:
entire subject area
consists of broken
concrete and asphalt

1.794 ACRES

FIFTH STREET (60' R.O.W.)

Temporary Benchmark
Chiseled Square
cut on concrete

LOT 1
BLOCK A
CHESTNUT PLAZA
PHASE 1
DOCUMENT NO. 200600287

MAP OF TOPOGRAPHIC SURVEY OF
A PORTION OF LOT 1, BLOCK A, RESUBDIVISION OF CHESTNUT STATION AND
CHESTNUT STATION SECTION 2, A SUBDIVISION IN TRAVIS COUNTY, TEXAS,
ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN DOCUMENT NO.
200900070 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

LOCATED ON MIRIAM AVENUE AND 17TH STREET.

Notes:

- 1) NAVD 1988 Elevations shown hereon were determined by utilizing post processed static GPS observations.
- 2) Tree "crowns" shown hereon are drawn as a function of trunk diameter. One inch of trunk diameter equals one foot of "crown" radius.
- 3) This map includes only those portions of the subject property as indicated by the clients instructions.

HOLT CARSON, INCORPORATED
1904 FORTVIEW ROAD
AUSTIN, TX 78704
(512) 442-0990

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PREPARED NOVEMBER 10, 2010

BY

Holl Carson
Registered Professional Land Surveyor No. 5166

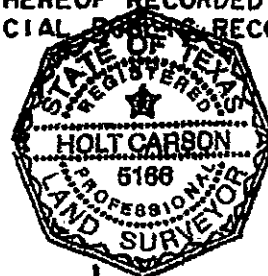
SKETCH TO ACCOMPANY FIELD NOTE DESCRIPTION OF
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RESUBDIVISION OF CHESTNUT STATION AND CHESTNUT
STATION SECTION 2, A SUBDIVISION IN TRAVIS COUNTY,
TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED
IN DOCUMENT No. 200900070 OF THE OFFICIAL PUBLIC RECORDS
OF TRAVIS COUNTY, TEXAS.

SURVEYED: November 10, 2010

BY:

Holt Carson
Holt Carson

Registered Professional Land Surveyor No. 5166



Legend

- 1/2" Iron Rod Found
- ⊗ Chiseled "X" Found
- ◆ 1/2" Iron Rod Found with plastic cap imprinted with "Carter Burgess"
- 1/2" Iron Rod Set with plastic cap imprinted with "Holt Carson, Inc."

15' P.U.S.
N 44° 20' W 854.87'
(N 114° 42' 20" W 654.72')
Bearing Basis

18TH STREET
(50' R.O.W.)

MIRIAM AVENUE (48' R.O.W.)

LOT 12
LOT 11
LOT 10
LOT 9
LOT 8
LOT 7
BLOCK 8
SECOND HENRY ULT ADDITION
OF OUTLOT 31 DIVISION "B"
VOLUME 3 PAGE 108

Place of Beginning

17TH STREET (80' R.O.W.)

S 78° 15' 08" W 334.96'
S 78° 15' 40" W 334.96'

C 866102

EXHIBIT C

SCANNED

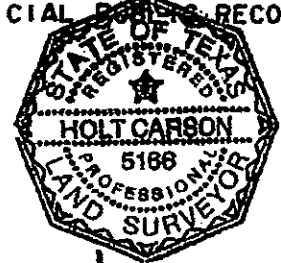
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SURVEYED: November 10, 2010

BY:

Holt Carson
Holt Carson

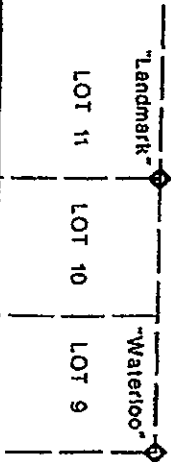
Registered Professional Land Surveyor No. 5166



Legend

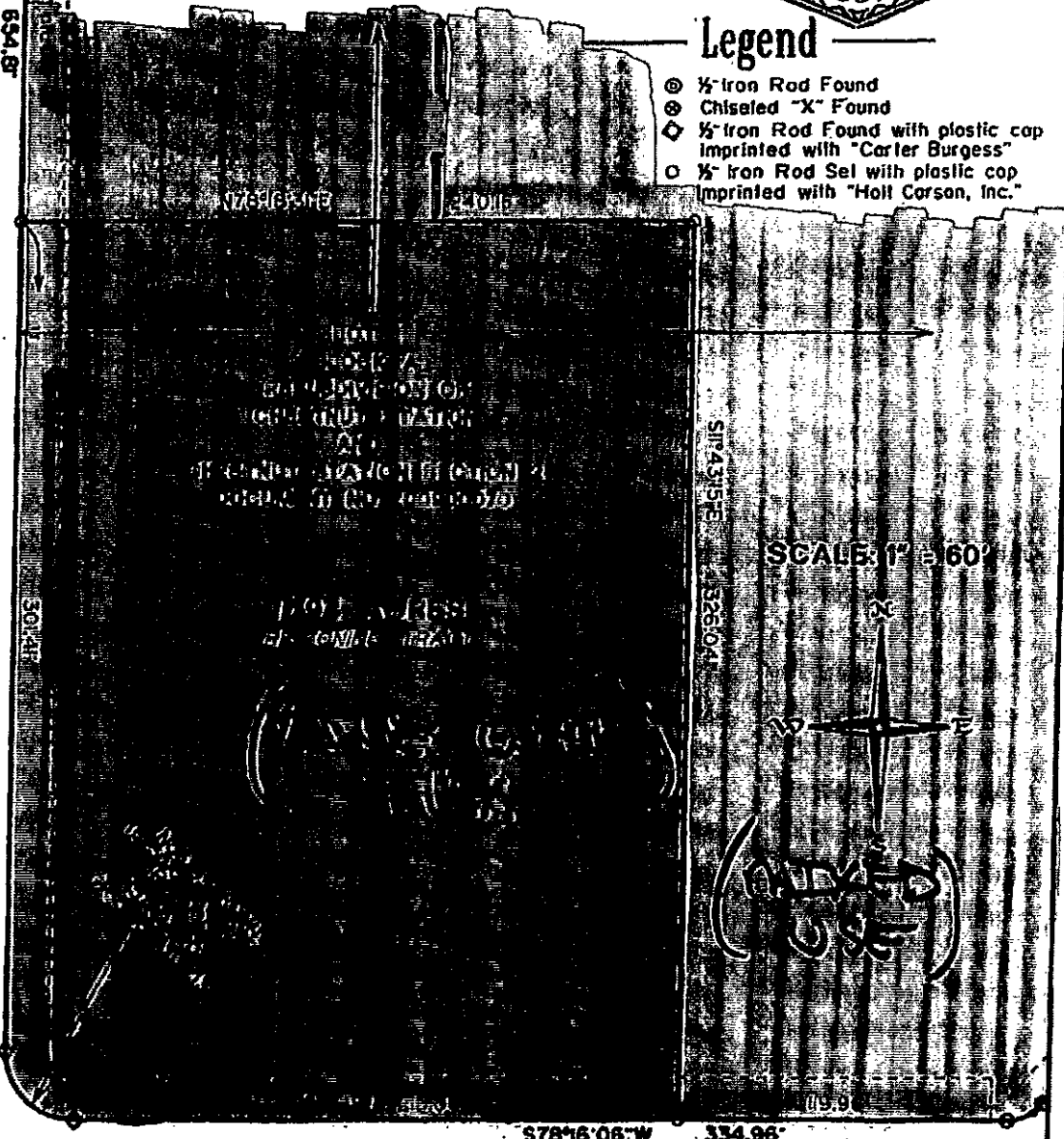
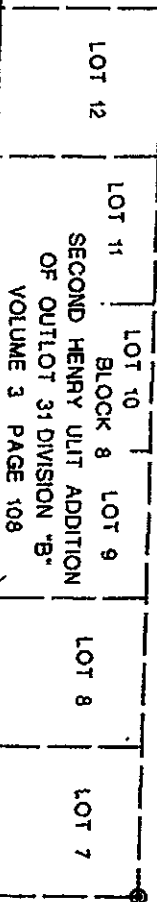
- ⊙ 1/2" Iron Rod Found
- ⊗ Chiseled "X" Found
- ◇ 1/2" Iron Rod Found with plastic cap imprinted with "Carter Burgess"
- 1/2" Iron Rod Set with plastic cap imprinted with "Holt Carson, Inc."

15 P.U.E. per foot
N 74° 44' 20" W 654.8'
(N 74° 44' 20" W 654.72')
Beginning Basis



18TH STREET
(60' R.O.W.)

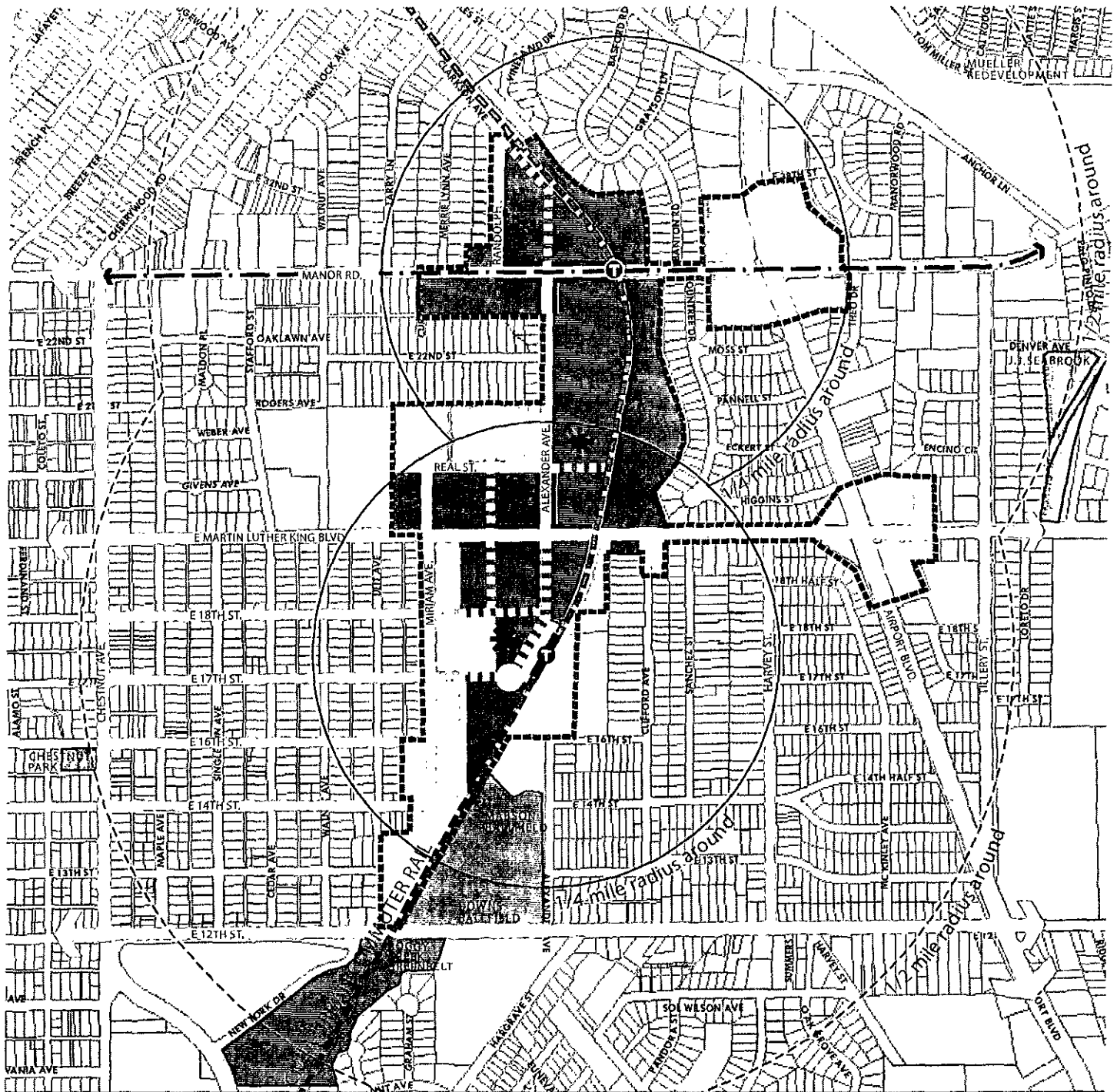
MIRIAM AVENUE (45' R.O.W.)



17TH STREET (60' R.O.W.)

EXHIBIT D

SCANNED



LEGEND

- LOW DENSITY RESIDENTIAL
- MEDIUM-DENSITY RESIDENTIAL
- TOD MIXED USE (showing active edges)
- CORRIDOR MIXED USE
- LIVE/WORK FLEX
- EXISTING CITY PARKLAND
- POTENTIAL PARKLAND

EXISTING STREETS

POTENTIAL NEW STREETS

TOD DISTRICT BOUNDARY

POTENTIAL STREETCAR ROUTE

METRORAIL STATION

POTENTIAL STREETCAR STOP

TRANSIT PLAZA

0 200 400 800 FEET



TRANSIT ORIENTED DEVELOPMENT STATION AREA PLANNING

EXHIBIT E